

REFERENCE TITLE: **nursing care institutions; prohibited charges**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

## **HB 2446**

Introduced by  
Representative Quelland

### AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-434; RELATING TO NURSING CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Title 36, chapter 4, article 2, Arizona Revised Statutes,  
3 is amended by adding section 36-434, to read:

4       36-434. *Nursing care institutions: preventable adverse events:*  
5                   charges: definition

6       A. A NURSING CARE INSTITUTION SHALL NOT KNOWINGLY CHARGE A PATIENT OR  
7 THE PATIENT'S INSURER FOR HEALTH CARE SERVICES IT PROVIDED AS A RESULT OF OR  
8 TO CORRECT A MISTAKE OR PREVENTABLE ADVERSE EVENT CAUSED BY THE NURSING CARE  
9 INSTITUTION.

10     B. FOR THE PURPOSES OF THIS SECTION, "MISTAKE OR PREVENTABLE ADVERSE  
11 EVENT" MEANS:

12     1. PATIENT DEATH OR SERIOUS DISABILITY ASSOCIATED WITH AN  
13 INTRAVASCULAR AIR EMBOLISM THAT OCCURS WHILE THE PATIENT IS BEING CARED FOR  
14 IN THE NURSING CARE INSTITUTION, EXCLUDING DEATH THAT IS ASSOCIATED WITH  
15 NEUROSURGICAL PROCEDURES THAT ARE KNOWN TO PRESENT A HIGH RISK OF  
16 INTRAVASCULAR AIR EMBOLISM.

17     2. PATIENT DEATH OR SERIOUS DISABILITY ASSOCIATED WITH A HEMOLYTIC  
18 REACTION DUE TO THE ADMINISTRATION OF ABO OR HLA-INCOMPATIBLE BLOOD OR BLOOD  
19 PRODUCTS.

20     3. STAGE 3 OR 4 ULCERS ACQUIRED AFTER ADMISSION TO THE NURSING CARE  
21 INSTITUTION, EXCLUDING PROGRESSION FROM STAGE 2 TO STAGE 3 IF STAGE 2 WAS  
22 RECOGNIZED AT THE TIME OF ADMISSION TO THE NURSING CARE INSTITUTION.

23     4. PATIENT DEATH OR SERIOUS DISABILITY ASSOCIATED WITH A FALL WHILE  
24 THE PATIENT IS BEING CARED FOR IN THE NURSING CARE INSTITUTION.

25     5. A CATHETER-ASSOCIATED URINARY TRACT INFECTION.

26     6. A VASCULAR CATHETER-ASSOCIATED INFECTION.